

TEXT OF PROPOSED REGULATIONS

In the following text:

single underline indicates added or amended text

single strikeout indicates deleted or moved text

Title 15. Crime Prevention and Corrections

Division 8. California Prison Industry Authority

Chapter 1. Rules and Regulations of California Prison Industry Authority

Section 8006 is amended to read:

8006. Inmate Pay Rates, Schedule and Movement

- (a) Inmates assigned to work programs within CALPIA shall receive compensation as determined by the General Manager and reviewed by the Prison Industry Board (PIB). Compensation shall be paid from the Prison Industries Revolving Fund, and shall be in accord with the graduated pay schedule, and based on quality and quantity of work performed, and technical skills and abilities required for its performance.
- (b) Any proposed changes to the Inmate Pay Schedule shall be submitted by the General Manager to the PIB for review.
- (c) Final determination of any disputes or interpretations of the Inmate Pay Schedule shall be made by the General Manager.
- (d) CALPIA inmate pay rates shall be in accord with the following skill and step levels:
 - (1) Inmate Pay Schedule:

Skill Level	Step I	Step II	Step III
Level 1	\$.80	\$.90	\$1.00
Leadperson (AA)			
Level 2	.70	.75	.80
Special Skills (A)			
Level 3	.60	.65	.70
Technician (B)			
Level 4	.50	.55	.60
Semi-Skill (C)			
Level 5	.35	.40	.45
Laborer/Entry			
Trainee (D)			

(e) The Prison Industries Administrator/Lead Manager at each facility shall be responsible for the administration of the CALPIA inmate pay program, ensuring pay positions are properly classified and allocated.

(f) Movement between one pay rate to another pay rate shall be based upon the following:

(1) Pay increases. Increases shall not be automatic or solely based on the inmate's longevity in an assignment. Increases in the pay rate shall be based on the inmate's productivity (quantity and quality of work performed), the supervisor's work/training performance report, and shall be subject to the review and approval of the Prison Industries Administrator/Lead Manager or manager in charge of inmate activities or other designee of the General Manager.

(A) Inmates ~~may become eligible~~ to receive a pay increase from one step level to the next advancing step level as described in subsection (d)(1) for satisfactory performance and demonstrated proficiency after they complete three months of work in each step level, as described in subsection (d)(1). Inmates shall not advance to the next Skill Level described in subsection (d)(1) until and after the inmate has completed three months in each step of the current Skill Level.

(B) Inmate pay increases from Step I to Step II and finally Step III shall be effective upon the Prison Industries Administrator/Lead Manager or manager in charge of inmate activities review and approval on the first day of the following month after the pay increase is administratively processed.

(2) Pay decreases. Reduction in pay shall be based on the immediate supervisor's recommendation, inmate's less than satisfactory work performance, or inmate misconduct as described in Title 15, California Code of Regulations (CCR), Division 3, Sections 3312, 3314, or 3315.

(A) Inmate pay decreases shall be effective upon the Prison Industries Administrator/Lead Manager or manager in charge of inmate activities review and approval on the first day of the following month after the pay decrease is administratively processed.

(3) Advancement. Inmates ~~may become eligible to~~ advance to a higher skill level after completion of three months in step 3 of the current Skill Level,

as described in subsection (d)(1), with the immediate supervisor's recommendation and based upon the inmate's demonstration of proficiency and increased skill level, their work/training performance report, and shall be subject to the review and approval of the Prison Industries Manager/Lead Manager or manager in charge of inmate activities or other designee of the General Manager. Advancement from one skill level to the next higher skill level shall be into step 1 of the next skill level. Skill level advancement shall be from one level to the next higher level, one level at a time, in progression of levels and steps.

- (A) ~~Inmates may advance from one skill level to the next after they complete one month of work in their current skill level as described in subsection (d)(1).~~ When staffing issues and/or operational needs dictate, a deviation from the procedure set forth in section (f)(3) can occur based upon a case-by-case evaluation of the inmate's performance, skill and experience, with appropriate documented justification and on a case-by-case basis, approved by the Branch Manager or Assistant General Manager of Operations, by which the inmate may be advanced to a higher skill level.
 - (B) Inmate advancement shall be effective upon the Prison Administrator/Lead Manager approval on the first day of the following month after the pay increase is administratively processed.
 - (C) An inmate's longevity shall not be used as criteria for the purpose of upgrading skill level.
- (4) Removal beyond inmate control. Inmates removed from their work assignment for reasons beyond their control, including, but not limited to out-to-court or lengthy hospital stay, may return to a CALPIA assignment at the same or closest level of pay to their former position, if a position is available, via the institution classification committee process, CCR, Title 15, Division 3, Section 3040.

AUTHORITY: Sections 2801, 2808 and 2811, Penal Code.

REFERENCE: Sections 2806 and 2811, Penal Code.